

### **Remarks/Arguments**

Claims 1, 10, and 17 are amended to claim a "frequency of display parameter" that controls when selected or auxiliary information is displayed. Support for the claim is found in the specification on page 8, lines 9-18, page 13, lines 6-22, and in other places.

Claims 1-6, 9-10, 12-17, and 19 are amended to include the antecedent basis of the "frequency of display parameter". In addition, these claims are amended to fix the language of the claims for clarity.

No new matter was added in view of these amendments.

#### ***1. 35 U.S.C. §102 Rejection***

The Examiner rejected Claims 1-4, 7-13, and 15-16 under 35 U.S.C. §102(e) as anticipated by LaJoie et al. (U.S. Patent #6,049,333, hereafter referred to as 'LaJoie'). Applicants disagree with this ground of rejection.

Amended Claim 1 claims the feature of, "a frequency of display parameter that determines when the selected information is displayed". This claimed feature is neither disclosed nor suggested in LaJoie.

LaJoie does disclose the feature of being able to use a 'select key' as, "a toggle to turn the event database banner on and off". The display of the event database banner is then controlled by a viewer requesting, "a new display of the event database banner," (LaJoie, col. 14, lines 60-65). Hence, the display of the event database banner is controlled directly in response to a user's request.

In contrast, Claim 1 claims that the, "display of the selected information is controlled by a frequency of display parameter that determines when the selected

information is displayed." This "frequency of display parameter" is not the same as a user requesting the new display of an event database banner, as disclosed in LaJoie.

Additionally, Claim 4 claims a "schedule for determining the frequency of display for automatically displaying the selected information". This scheduling of the frequency of display is not the same as the toggling of the event database banner as disclosed in LaJoie. Specifically, the toggling of the event database on and off is not a "scheduling" operation that determines the frequency of display for automatically displaying selected information, as in Claim 4. The toggling operation either means that an event database banner is either displayed (on) or not displayed (off). In contrast, the scheduling operation of Claim 4 claims schedule that determines a frequency for when selected information is to be displayed.

For the forgoing reasons, Applicants assert that Claims 1 and 4 are patentable and request that the Examiner remove the rejection to these claims. For the reasons listed in connection for Claim 1 above, Applicants assert that Claim 9 is patentable. Applicants request the Examiner remove the rejection to this claim, as well.

Applicants assert that Claims 2-3 and 7-8 are patentable as the claims depend on allowable Claim 1. Additionally, Applicants assert that Claims 10-13, and 15-16 are patentable as the claims depend on allowable Claim 9. Applicants request that the Examiner remove the rejection to these claims, as well.

## ***II. 35 U.S.C. §103 Rejection***

The Examiner rejected Claims 5, 6, and 14 under 35 U.S.C. §103(a) as being anticipated by LaJoie. Applicants assert that Claims 5 and 6 are patentable as the claims depend on allowable independent Claim 1. Applicants also assert that Claim 14 is patentable as the claim depends on allowable

Independent Claim 9. Applicants request that that Examiner remove the grounds of rejection to these claims.

The Examiner rejected Claims 17-20 under 35 U.S.C. §103(a) as being unpatentable over LaJoie in view of Kabushiki Kaisha Toshiba (European Serial #0766463A2, hereafter referred to as 'Kabushiki'). Applicants disagree with this ground of rejection.

Claim 17 has been amended to recite that, "said display of said auxiliary information is controlled by a frequency of display parameter that determines the frequency of when auxiliary information is displayed." This "frequency of display parameter" is neither disclosed nor suggested in LaJoie or Kabushiki, alone or in combination.

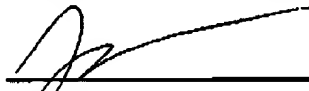
The Applicants also note that the Examiner rejected Claim 19 by stating that the claimed feature of selecting the frequency of display is disclosed in LaJoie where "the user can toggle the banner on or off by pressing exit key...or by pressing the select key". Applicants assert that the claimed means for selecting the frequency of display parameter controlling the display of the selected type of auxiliary information" is not a simple on or off toggling operation, as suggested by the Examiner. Specifically, the frequency of display parameter of Claim 19 determines if auxiliary information is displayed continuously, periodically, or as a status change occurs display.

For the forgoing reasons, Applicants assert that Claims 17 and 19 are patentable and request that the Examiner remove the rejection to these claims. For the reasons listed in connection for Claim 17 above, Applicants assert that Claims 18 and 20 are patentable as the claims depend on allowable independent Claim 17. Applicants request the Examiner remove the rejection to this claims, as well.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the Applicants' attorney at (609) 734-6809, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Applicants have also submitted with this paper a request for a three-month extension from the January 8, 2004 date for which this response was originally due with a fee sheet. If any other fees owned in connection with this action, please charge Deposit Account 07-0832.

Respectfully submitted,



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**Joel M. Fogelson**